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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,751	01/17/2006	Lambertus C.J. Van Halder	082671-0227	1636

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FOLEY AND LARDNER LLP  
SUITE 500  
3000 K STREET NW  
WASHINGTON, DC 20007

EXAMINER
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NGUYEN, TAI V

ART UNIT	PAPER NUMBER
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3729

MAIL DATE	DELIVERY MODE
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08/18/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/534,751	<b>Applicant(s)</b> VAN HALDER ET AL.	
	<b>Examiner</b> TAI NGUYEN	<b>Art Unit</b> 3729	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) 8-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/12/05</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election without traverse of Group I, claims 1-7 in the reply filed on 6/6/2008 is acknowledged.
2. Claims 8-11 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Group II, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 6/6/2008.

### *Specification*

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
4. The following title is suggested: A COMPONENT PLACEMENT MACHINE WITH FRAME AND TRANSPORT DEVICE.

### *Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-3 and 5-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Van Deursen (US 6,564,446).

As applied to claim 1, Van Deursen discloses a component machine: a frame (e. g. 1); a transport device (e. g. 2) for transporting printed circuit boards in an X-direction;

at least one transport beam (e. g. 8) that extends in the X-direction, whereby the beam can be driven in the X-direction in a reciprocating movement clamping mechanism (e. g. 2) connected to the transport beam for clamping in at least one lateral edge that extends in the X-direction of the printed circuit boards to be transported and a supporting means-mechanism connected to the frame for supporting two lateral edges on both sides of the printed circuit boards, whereby the clamping mechanism is placed into an active clamping position such that the clamping mechanism is active during the movement of the transport beam in the positive X-direction and is placed in a resting position during the returning of the transport beam in the negative X-direction (col. 3, lines 21-65+), such that while the clamping mechanism is at rest the printed circuit boards are being-supported by the supporting means mechanism (see Fig. 1).

As applied to claim 2, Van Deursen discloses the mechanism comprises: a fixed jaw portion (e. g. 15), which cooperates with an upper side of the printed circuit board; and a moveable jaw portion (e. g. 10) which is movable in a Z-direction toward fixed jaw portion to cooperate with a lower side of the printed circuit board and which is movable away from the fixed jaw portion to release the printed circuit board.

As applied to claim 3, Van Deursen discloses the fixed jaw portion comprises a plurality of clamping elements (e. g. 16) that extend in an X-direction; each clamping element positioned behind the other.

As applied to claim 5, Van Deursen discloses the transport device comprises a bed of supporting pins (e. g. 22) that are configured to move simultaneously with the movable jaw portion.

As applied to claim 6, Van Deursen discloses the supporting means mechanism comprises two ridges extending in the X-direction (See Fig. 1).

As applied to claim 7, Van Deursen discloses the distance between the ridges is adjustable (col. 3, lines 8-13).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Deursen (US 6,564,446) in view of Simeone et al (US 4,764,240).

As applied to claim 4, Van Deursen discloses all of the limitations of the claimed invention except that the clamping elements comprise a leaf spring.

However, Simeone et al teaches that clamping elements can comprise a leaf spring (e. g. 1058).

It would have been obvious to one of ordinary skill in the art at this time the invention was made to have modified the method of Van Deursen by adding a leaf spring, as taught by Simeone, to positively correct any misalignment.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAI NGUYEN whose telephone number is (571)272-4567. The examiner can normally be reached on M-F (7:30 A.M - 4:30 P.M).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. Dexter Tugbang/  
Primary Examiner, Art Unit 3729

July 30, 2008  
TN.

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